

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2824

By: Roach

AS INTRODUCED

An Act relating to state government; enacting the Office for Oklahoma Government Benefit Evaluation and System Tracking; requiring review of programs, functions, and entities; specifying scope of review; prescribing content of review; prescribing presumption favoring repeal of functions, programs, or entities; prescribing standard for review; providing for independent audit; providing for termination of authority based on audit results; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. This act shall be known and may be cited as the "Office for Oklahoma Government Benefit Evaluation and System Tracking Act" (BEST).

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3931 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. To achieve maximum efficiency and effectiveness of government and to promote quality management and accountability, all programs, functions, and entities must be reviewed by the Office for Oklahoma Government Benefit Evaluation and System Tracking. The review must identify and examine the purpose of each program, function, or entity to ensure that each program, function, or entity is administered in the most effective and efficient manner possible, and to assess the public benefit derived from the program, function, or entity. Reviews must determine whether the function, program, or entity:

1. Serves an identifiable purpose that benefits the public and accomplishes the purpose for which it was created;

2. Operates efficiently and effectively within its statutory framework, and whether there are any statutory changes that would likely increase the effectiveness and efficiency of the function, program, or entity;

3. Is necessary to the public health, safety, or welfare, and what would be the effect of its abolition;

4. Serves a beneficial purpose to state agencies in improving the effectiveness and efficiency of the operations of the state;

5. Directly or indirectly increases or decreases the costs of any goods or services, and whether any identified increase in cost is more harmful to the state than any of the harm that could occur absent the function, program, or entity;

6. Is situated within an organizational structure that promotes its efficient and effective administration and does not duplicate activities conducted in other agencies of the state; and

7. Could be assigned to another state agency or to private enterprise, and if so, the most efficient way of doing so.

B. Unless other criteria are specifically provided by law, any review of a function, program, or entity scheduled for repeal by law must be conducted in accordance with the criteria specified in

subsection A of this section. In conducting a review of a function, program, or entity scheduled for repeal, the presumption is in favor of the repeal. The need for or benefits derived from a program, function, or entity subject to repeal and prior review must be compelling as measured by these criteria for the function, program, or entity to be continued.

C. If pursuant to an independent audit of the savings achieved by elimination of programs, functions, or entities by the Office for Oklahoma Government Benefit Evaluation and System Tracking, it is established that the savings achieved pursuant to those eliminations are equal to or less than the cost of funding the operations of the Office, then the Office for Oklahoma Government Benefit Evaluation and System Tracking shall cease to have any authority as of the July 1 date next ensuing the date as of which the independent audit is filed with the Speaker of the House of Representatives, the President Pro Tempore of the Senate and the Office of the Governor.

SECTION 3. NONCODIFICATION Section 1 of this act shall not be codified in the Oklahoma Statutes.

SECTION 4. This act shall become effective July 1, 1998.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-9200

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